

IN RE:

KENNETH AND EILEEN KLOSS

MODIFIED CHAPTER 13 PLAN
DATE 6/7/2013
CASE NO. 13-31442

1. DEBTOR'S PAYMENTS TO TRUSTEE

a. As of the date of the plan, debtor has paid the trustee \$1,750.00

b. After the date of this plan, debtor will pay the trustee \$1,200.00 per month for 58 months beginning June 2013 for a total of \$71,350.00 The minimum plan length 60 months from the date of the initial plan payment unless all allowed claims are paid in a shorter time.

c. The debtor will also pay the trustee: \$0.00

d. The Debtor will pay the trustee a total of: \$71,350.00 {line 1a + line 1b +line 1c}

2. PAYMENTS BY TRUSTEE The trustee will pay from available funds only creditors for which proofs of claim have been filed. The trustee may collect a fee of up to 10% of plan payments or, \$7,135.00 {line 1d x .10}

3. ADEQUATE PROTECTION PAYMENTS 1326 (a) (1) C The trustee will promptly pay from available funds adequate protection payments to creditors holding allowed claims secured by personal property, according to the following schedule, beginning in month one (1).

Creditor	Monthly Payment	Number of Month	TOTAL PAYMENTS
a.			\$0.00
b.			
d. TOTAL			\$0.00

4. EXECUTORY CONTRACTS AND UNEXPIRED LEASES 365 - The debtor assumes the following executory contracts or unexpired leases. Cure provisions, if any, are set forth in # 7

Creditor	Description of Property
a	
b.	

5. CLAIMS NOT IN DEFAULT Payments on the following claims are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the to the to the creditors. The creditors will retain their liens. The creditor can continue to invoice the debtor.

Creditor	Description of Property
a.Homeward Residential	home
b Falcon National Bank	rental property
c.	

6. HOME MORTGAGES IN DEFAULT (sec. 1322(b)(5) and 1322 (e)). The trustee will cure defaults on the following claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens. All following entries are estimates. The trustee will pay the actual amounts of default.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of payment: PAYMENTS</i>	<i>TOTAL</i>
a.					
b.					
c.					
d. TOTAL	\$0.00	\$0.00			\$0.00

7. SECURED CLAIMS IN DEFAULT (§ 1322(b)(3) and (5) and §1322(e)) The trustee will cure defaults on the following claims as set forth below. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any. All following entries are estimates, except for interest rate.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Int. Rate (if applicable)</i>	<i>Payment</i>	<i>Beginning in Month #</i>	<i>Number of payments</i>	<i>TOTAL PAYMENTS</i>
a.						
b.						
c. other	\$0.00					\$0.00

8. OTHER SECURED CLAIMS SECURED CLAIM AMOUNT IN PLAN CONTROLS [§ 1325(a)(5)] The trustee will pay, on account of the following allowed secured claims, the amount set forth in the "Total Payments" column, below. The creditors will retain liens securing the allowed secured claims until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or the date of the debtor's discharge.

NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. §1327, AND CONFIRMATION OF THE PLAN IS A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM.

<i>Creditor</i>	<i>Amount of Claim</i>	<i>Secured Claim</i>	<i>Intrest Rate</i>	<i>Beginning in Month #</i>	<i>Monthly x Payments</i>	<i>Number of = Payments</i>	<i>Payments on Account of Claim</i>	<i>(Adequate) Protection from #3</i>	<i>TOTAL PAYMENTS</i>
a. IRS	\$49,160.57	\$49,160.57	8%	1	\$1,080.00	55	\$58,777.00	\$0.00	\$58,777.00
b.									
c. Total	\$49,160.57	\$49,160.57							\$58,777.00

9. PRIORITY CLAIMS the trustee will pay in full all claims entitled to priority under §507, including the following. The amounts listed are estimates. The trustee will pay the amounts actually allowed.

<i>Creditor</i>	<i>Amount of Claim</i>	<i>Monthly Payment</i>	<i>Month #</i>	<i>Number of payment: PAYMENTS</i>	<i>TOTAL</i>
a. Attorney's fees	\$0.00				\$0.00
b. IRS	\$2,450.61	\$1,080.00	56	2	\$2,450.61
c.					
f. TOTAL	\$2,450.61				\$2,450.61

10. SEPARATE CLASS OF UNSECURED CREDITORS In addition to the class of unsecured creditors specified in #11, there shall be separate classes of non-priority unsecured creditors described as follows:

The trustee will pay the allowed claims of the following creditors. **All entries below are estimates.**

Creditor	Interest Rate (if any)	Claim Amount	Payment	Number of Payments	TOTAL PAYMENTS
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a.

b.

c. TOTAL \$0.00 \$0.00

11. TIMELY FILED UNSECURED CREDITORS The trustee will pay the holders of non-priority unsecured claims for which proofs of claim were timely filed, the balance of all payments received by the trustee and not paid under # 2, 3, 6, 7, 8, 9 and 10 their pro rata share of approximately \$2,932.39 line 1(d) minus lines 2, 6(d), 7(d) and 8(d), 9 (f) and 10)].

a. The debtor estimates that the total unsecured claims by creditors listed in paragraph 8 are \$0.00

b. The debtor estimates that the total unsecured claims (excluding those in #8 & #10) are \$54,200.44

c. Total estimated unsecured claims are \$ line 11(a) + line 11 (b). \$54,200.44

12. TARDILY FILED UNSECURED CREDITORS All money paid by the debtor to the trustee under #1 but not distributed but not distributed by the trustee under #2,3,6,7,8, 9, 10 or 11 will be paid to the holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

13. OTHER PROVISIONS The trustee may distribute additional sums not expressly provided for herein at the trustee's discretion.

Income withholding for on-going child support will continue.

THE 3 FALCON BANK LOANS SECURED BY BUSINESS OWNED ASSETS WILL BE SURRENDERED AND THE DEFICIENCY WILL BE PAID AS UNSECURED DEBT. The debtors shall send the Trustee each year during the Chapter 13 Plan copies of their federal and state income tax returns at the time they are filed. The debtors shall also promptly report to the Trustee the receipt of any state and federal tax refunds for the duration of this Chapter 13 case and shall be entitled to retain the first \$2,000 plus any earned income credit (EIC). Any remaining amounts shall be turned over to the Chapter 13 trustee as additional plan payments.

Pursuant to 11 U.S.C. Section 1305, a proof of claim may be filed by any entity that holds a claim against the debtor(s) for taxes that become payable to a governmental unit while the case is pending. The trustee shall only pay 11 U.S.C. Section 1305 claims attributable to the taxable year in which the case concerning such debtor(s) was filed, and only to the extent funds are available.

14. SUMMARY OF PAYMENTS-

Trustee's fee [line 2].....	\$7,135.00
Home Mortgage Defaults [line 6(d)].....	\$0.00
Claims in defaults [line 7(d)].	\$0.00
Other Secured Claims [line 8(d)].....	\$58,777.00
Priority claims [line 9f].....	\$2,450.61
Separate Class [line 10(C)].....	\$0.00
Unsecured Creditors [line 11].....	\$2,932.39
TOTAL [must equal line 1(d)].....	\$71,350.00

ROBERT L KALENDA
919 WEST ST GERMAIN ST STE 2000
ST CLOUD MN 56301
(320)255-8840

SIGNED: /e/ Kenneth Kloss
DEBTOR

SIGNED: /e/ Eileen Kloss
JOINT DEBTOR

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Kenneth G. & Eileen M. Kloss,

Bky.No. 13-31442 DDO

Debtors.

Chapter 13 Bankruptcy

NOTICE OF MODIFICATION OF
CHAPTER 13 PLAN BEFORE CONFIRMATION

TO: ALL INTERESTED PARTIES

1. Pursuant to Local Rule 3015-2, the debtors, by their attorney, Robert L. Kalenda, give notice that the court will hold a confirmation hearing on the modified Chapter 13 plan at 10:00 a.m. on July 11, 2013, in Courtroom 2B, 2nd Floor, 316 North Robert Street, US Courthouse, St. Paul, Minnesota.

Dated: 6-26-13

KALENDA LAW OFFICE

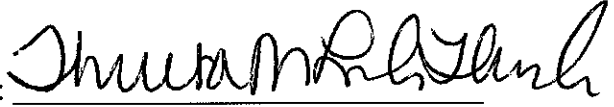
By: /e/ Robert L. Kalenda
Robert L. Kalenda
Attorney for Debtors
919 West St. Germain, Suite 2000
St. Cloud, MN 56301
(320) 255-8840
MN Registration #53260

UNSWORN CERTIFICATE OF SERVICE

I, Theresa Loch-Thoele, declare under penalty of perjury that on June 26, 2013, I mailed copies of the foregoing Amended Chapter 13 Plan, Notice of Modification of Chapter 13 Plan Before Confirmation and Amended Schedules I & J In Re: Kenneth & Eileen Kloss Bky. No. 13-31442 DDO by first class mail postage prepaid to each entity named below at the address stated below for each entity:

Interested Parties on attached service list

Executed on: 6-26-13

Signed: 
Theresa Loch-Thoele
KALENDA LAW OFFICE
919 West St. Germain, Suite 2000
St. Cloud, MN 56301

KENNETH G KLOSS
EILEEN M KLOSS
29019 83 ST
PIERZ Minnesota 56364

BANK OF AMERICA
PO BOX 851001
DALLAS TX 75285-1001

CAPITAL ONE
PO BOX 30285
SALT LAKE CITY Utah 84130-0285

DISCOVER
PO BOX 30421
SALT LAKE CITY Utah 841300421

FALCON NATIONAL BANK
183 CEDAR DR
FOLEY Minnesota 56329

HOMEWARD RESIDENTIAL
PO BOX 619063
DALLAS TX 56364-7707

IRS
PO BOX 7346
PHILADELPHIA PA 19101-73

MENARDS
PO BOX 5226
CAROL STREAM IL 60197-5226

NELNET LOAN SERVICES
PO BOX 82561
LINCOLN NE 68501-2561

ST GABRIELS HOSPITAL
815 SECOND ST SE
LITTLE FALLS Minnesota 56345

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:
KENNETH G KLOSS and EILEEN M KLOSS

SIGNATURE DECLARATION

Debtor(s).

Case No. _____

____ PETITION, SCHEDULES & STATEMENTS
____ CHAPTER 13 PLAN
____ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION
☒ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
☒ MODIFIED CHAPTER 13 PLAN
____ OTHER (Please describe: _____)

I [We], the undersigned debtor(s) or authorized representative of the debtor, ***make the following declarations under penalty of perjury:***

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: 6-24-13

X Kenneth G Kloss

Signature of Debtor or Authorized Representative

KENNETH G KLOSS

Printed Name of Debtor or Authorized Representative

X Eileen M Kloss

Signature of Joint Debtor

EILEEN M KLOSS

Printed Name of Joint Debtor